

# EXHIBIT 22

# NOSH Dishing on the East Bay

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## Hundreds in Berkeley protest Whole Foods' ban on wearing clothing branded 'Black Lives Matter'

Protesters came to support a former employee who quit after she was told to remove a face mask that had "Black Lives Matter" printed on it.

By Frances Dinkelspiel, July 17, 2020, 6:50 p.m.



A protestor holds up a sign at a demonstration against Whole Foods Market's clothing policy, outside Whole Foods on Gilman Street in Berkeley on July 17, 2020. Photo: Nancy Rubin

About 200 people gathered at the intersection of Gilman and Ninth streets Friday afternoon to protest a Whole Foods Market policy of not letting employees wear masks or T-shirts reading "Black Lives Matter."

They came out to support Jordan Baker, who wore a Black Lives Matter face mask to work at the Gilman Street Whole Foods on July 15 and was asked to remove it within five minutes of arriving at work, according [to her Instagram account](#).

"I honestly don't want to work for a company who only "supports" a movement when it makes them look good, or makes them money," she wrote.

Her post was liked more than 40,000 times and many people at the rally said they had seen it and had turned up to support her.

Baker declined to talk to Berkeleyside during the rally. She said she has quit her job at Whole Foods.



Jordan Baker, who wore a BLM face mask to work at the Gilman Street Whole Foods on July 15, was asked to remove it within five minutes of arriving at work. She has since quit. Image: Jordan Baker's Instagram

The company's dress policy prohibits workers from wearing clothing with visible slogans, according to a spokesperson who sent the following statement:

"In order to operate in a customer-focused environment, all Team Members must comply with our longstanding company dress code, which prohibits clothing with visible slogans, messages, logos or advertising that are not company-related," reads the statement. "Team Members with face masks that do not comply with dress code are always offered new face masks."

Team Members are unable to work until they comply with dress code.”

But a woman who works at the Gilman store disputed that characterization. She said people wear clothing with slogans all the time and management does nothing about it. It was only when Baker wore a “Black Lives Matter” mask that they complained.

“I wear logos every day and it’s never a problem,” she said.

The woman, who did not want to give her name, said workers at the Gilman store are upset about the company policy. A number have quit. The woman, who has worked there for about a year, said she intended to quit soon. Others at the rally said word about what happened to Baker had spread among workers at the Berkeley and Oakland stores.

This is not the first large company to run into trouble when its employees wanted to wear Black Lives Matter merchandise. Starbucks, after tweeting on June 1 that it stood “in solidarity with our Black partners, customers and communities,” told its employees they could not wear BLM merchandise because its dress code, like Whole Foods’, prohibited political or religious slogans, according to Buzz Feed. Starbucks later reversed its position.

## The crowd swelled to 200 as cars and trucks honk in solidarity

The crowd, which started gathering at 3 p.m., soon swelled to more than 200. Protesters stood on the sidewalk and hoisted signs in the air. Many cars and trucks tooted horns in solidarity.

One woman, who used to work at the Whole Foods in Oakland, said the corporation was hypocritical because it said it supports social justice issues and has no tolerance for racism. But when an employee wears a Black Lives Matter face mask, she is told those words are prohibited.

“It’s tone-deaf,” she said. “It’s super inconsiderate. They’re performative. It’s lip service.”



Two protesters at the rally against Whole Foods on July 17, 2020. Photo: Nancy Rubin

A number of people at the rally said the concept of Black Lives Matter was no longer controversial after the mass movements prompted by the police killing of George Floyd, but instead expressed a demand for basic human rights.

“This is not a political issue,” the woman said. “It is a human rights issue. This is not a controversial statement. It’s a human rights statement.”

Others at the rally said they were there to demand societal changes.

“What I like to see is people participating, making social change,” said Michael Ware, who works down the street at Berkeley’s transfer station. “It’s our time, not only for Blacks but for whites to come together. This is an opportunity to unite for the better of all people.”



Protesters in front of the Whole Foods Market on Gilman Street in Berkeley. Photo: Nancy Rubin

## Business inside Whole Foods did not seem affected

The rally didn't seem to affect Whole Foods' business much. As cars tried to turn into the parking lot, protesters would plead with the drivers to go elsewhere. A few turned around.

Inside, people continued with their shopping, seemingly unaware of the protest outside. However, three young women walked around the store and stopped customers to suggest they leave. They stopped this reporter and explained that Amazon was the true owner of Whole Foods, that it didn't pay its

employees well, and that is a "corrupt company." They encouraged customers to shop at Berkeley's independent markets, including Berkeley Bowl, Monterey Market and the Berkeley Natural Food Company.

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